

**REMARKS**

Applicant appreciates the Examiner's thorough consideration provided the present application. Claims 1-7 are now present in the application. Claims 1-4 have been amended. Claims 5-7 have been added. Claim 1 is independent. Reconsideration of this application, as amended, is respectfully requested.

**Claim Rejections Under 35 U.S.C. § 102**

Claims 1-4 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Amano et al., U.S. Patent No. 6,241,684. This rejection is respectfully traversed.

In light of the foregoing amendments to the claims, Applicant respectfully submits that this rejection has been obviated and/or rendered moot. As the Examiner will note, amended independent claim 1 has been amended to recite a combination of elements including "the processed signal being transmitted by the radio frequency wireless signal transmission circuitry via a radio frequency" and "the processed signal being received by the wireless receiving circuitry via the radio frequency". Applicant respectfully submits that the above combination of elements recited in amended independent claim 1 is not disclosed nor suggested by the references relied on by the Examiner.

Amano discloses that the communications unit 1000 is employed to send data which uses an optical signal between pulse wave measuring device 1A and data processing device 1B (see FIG. 29 and col. 26, lines 60-63). In particular, Amano teaches using the LEDs (61 and 101) and the phototransistors (62 and 102) to carry out optical communications between pulse wave measuring device 1A and data processing device 1B (see FIG. 33). Therefore, Amano fails to teach the above combination of elements recited in amended independent claim 1 because there is no radio frequency communication between pulse wave measuring device 1A and data processing device 1B.

Since Amano fails to teach each and every limitation of amended independent claim 1, Applicant respectfully submits that all of the claims clearly define over the teachings of Amano. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 102 are respectfully requested.

#### **Additional Claims**

Claims 5-7 have been added for the Examiner's consideration.

Applicant respectfully submits that claims 5-7 depend directly from amended independent claim 1, respectively, and are therefore allowable based on their respective dependence from amended independent claim 1, which is believed to be allowable. Claim 5 recites that certain elements are placed only on the

user's fingertip. This compact design is not found in the prior art. It provides for a design which will be out of the way and not interfere with a user's workout or other monitoring. Additionally, claims 6 and 7 provide for the use of a radio unit. This could be a walkman, for example. A user can therefore have entertainment/relaxation benefits with this design.

Nevertheless, independent claim 1 sets forth a wireless heartbeat detection which is neither suggested nor rendered obvious by the prior art utilized by the Examiner. Favorable consideration and allowance of all claims are respectfully requested.

#### **CONCLUSION**

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but rather to merely show the state of the art, no further comments are necessary with respect thereto.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Joe McKinney Muncy, Registration No. 32,334 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

Joe McKinney Muncy  
Joe McKinney Muncy  
Reg. No. 32,334

P. O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

KM/GH/mmi/asc  
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